

III. REMARKS

Claims 1-40 are pending in this application. By this Amendment, claims 20, 22-31, 35, 36 and 38-40 have been amended. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the above amendments and following remarks is respectfully requested.

By this Amendment, claims 20, 22-31, 35, 36 and 38-40 have been revised to correct typographical errors. Specifically, there is no reference letter c) in the base claim and this has been removed from the dependent claims.

Entry of this Amendment is proper under 37 C.F.R. §1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Craft et al. (US 7,124,205), hereinafter “Craft”, in view of Starr et al. (US Pub. No. 2004/0064590 A1), hereinafter “Starr”. Applicants respectfully traverse the rejection for the reasons that follow.

With respect to independent claims 1, 19 and 37, Craft does not disclose “dropping the data transfer and not confirming reception”. The Office points to col. 23, line 8 and col. 40, line 50; however, a careful reading of those passages reveals that rather than dropping the data transfer and not confirming reception, the connection is “flushed” back to the host computer for slow-path processing (col. 40, lines 50-57). Likewise Starr, teaches flushing back to the host

computer [paragraph 0059]. Thus, neither Craft nor Starr discloses an important element of Applicants claims.

Applicants further submit that Craft does not disclose, *inter alia*, “calculating a cyclical redundancy check (CRC) for the data transfer, wherein the CRC is one of valid and invalid[.]” (Claim 1, similarly claimed in claims 19 and 37). Craft discloses sequencers 52 validates a packet and creates a summary of those headers (col. 8, lines 10-11; col. 10, lines 46-47) and then processor 44 determines whether the packet is a candidate for fast-path processing or not based on the summary. The Examiner appears to agree with this assessment, but asserts that Starr teaches cyclic redundancy checking and combining Starr with Craft would yield the present invention. However, even if Starr were combined with Craft the present invention would not result. As discussed above neither Starr nor Craft teach disclose “dropping the data transfer and not confirming reception”. In view of the foregoing, Applicants submit the combination of Craft and Starr does not render the claimed invention obvious, and respectfully request withdrawal of the rejection.

The dependent claims are believed allowable for the same reasons, as well as for their own additional features.

Accordingly, Applicants submit that claims 1-40 are allowable and respectfully request that the Office withdraw the rejection.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney at the telephone number listed below.

Respectfully submitted,

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